

Application No. 09/762,560
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Independent claim 32 has been amended to incorporate the subject matter of (now canceled) claim 37. Claim 38 has been amended to depend from claim 32, and claim 42 has been amended to better accord with amended claim 32.

In addition, claim 61 has been amended to correct a minor grammatical error.

New independent claim 62 has been prepared based on the subject matter of independent claim 42, and to avoid reciting the unnecessary limitation of the removable recording medium.

New independent claim 63 has been prepared based on the subject matter of (now canceled) independent claim 55, to avoid reciting the unnecessary limitations of the removable recording medium and the advertisement information, and to clarify that the processor distributes the synthesized information to the printers as image data in accordance with a predetermined standard.

And new independent claim 64 has been prepared based on the subject matter of (now canceled) independent claim 55, to avoid reciting the unnecessary limitations of the removable recording medium and the advertisement printing mode, and to clarify that

Application No. 09/762,560
Response to Office Action

Customer No. 01933

the processor distributes the synthesized information to the printers as image data in accordance with a predetermined standard.

No new matter has been added, and it is respectfully requested that the amendments to claims 32, 38 and 41 and the addition of new claims 62-64 be approved and entered.

CLAIM FEE

The application was originally filed with 31 claims of which 6 were independent, and the appropriate claim fee was paid for such claims. The application now contains 30 claims, of which 7 are independent. Accordingly, a claim fee in the amount of \$200 for the addition of 1 extra independent claim is attached hereto. In addition, authorization is hereby given to charge any additional fees which may be determined to be required to Account No. 06-1378.

THE PRIOR ART REJECTION

Claims 32-61 were rejected under 35 USC 102 as being anticipated by USP 6,655,284 ("Hoshii et al"). This rejection, however, is respectfully traversed with respect to the claims as set forth hereinabove.

According to the photographic print vending apparatuses recited in independent claims 32, 42 and 62, and the print

Application No. 09/762,560
Response to Office Action

Customer No. 01933

vending apparatuses recited in independent claims 57, 63 and 64, and the method of operating a print vending machine recited in independent claim 61, a plurality of printers are provided and information to be printed is distributed to the printers in accordance with a predetermined standard.

Hoshii et al does disclose a print vending apparatus having a plurality of printers 18.

It is respectfully submitted, however, that Hoshii et al does not disclose a "predetermined standard" for supplying data to the printers, as recited in each of independent claims 32, 42, 57 and 61-64.

In addition, it is respectfully submitted that Hoshii et al also does not disclose, for example, any of the following claimed features of the present invention: the status detection means and the notification means recited in claims 36, 43 and 50 (or the corresponding status detection recited in claim 58); the unit image selecting means and the distribution of the selected unit image information sets recited in claim 38; the attachment slanted such that an opening of the attachment is directed downward recited in claim 40; the sublimation thermal printers recited claims 41 and 53; the distribution of print information to the printers based on a remaining amount of the expendable supply recited in claims 44 and 45; the distribution of print

Application No. 09/762,560
Response to Office Action

Customer No. 01933

information to the printers by group recited in claim 48; and the distribution of the print information to the printers based on the selected sheet type recited in claim 49.

Still further, it is respectfully submitted that Hoshii et al is not a proper reference against the present application for the purposes of 35 USC 103, since Hoshii et al was commonly owned with the present invention at the time the present invention as made, and since Hoshii et al is only qualifies a reference against the present application under 35 USC 102(e). See 35 USC 103(c).

Accordingly, it is respectfully submitted that amended and new independent claims 32, 42, 57 and 61-64, as well as claims 33-36, 38-41, 43-54, 58 and 59 respectively depending therefrom, all clearly patentably distinguish over Hoshii et al under 35 USC 102 as well as under 35 USC 103.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

Application No. 09/762,560
Response to Office Action

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:iv
encs.